

Appln. No.: 10/005,656
Amendment dated January 9, 2004
Reply to Office Action of October 9, 2003

REMARKS

The office action dated October 9, 2003 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-19 remain pending in this application. Claim 20 was deemed to be directed to a non-elected invention and was withdrawn from consideration in this application. Claims 1, 5, 7, 11 and 13 have been amended to address the rejections under 35 U.S.C. § 112. New claim 21 has been added. Support for these amendments can be found in the claims as originally filed and throughout the specification. No new matter has been added.

Objection to the Abstract

The Abstract of the disclosure is objected to as containing language which may be implied. The Abstract has been amended accordingly. Withdrawal of this objection is respectfully requested.

Objections to the Disclosure

The disclosure is objected to as including an informality in Table 4 on page 17. Table 4 has been corrected to replace "Wre" with "WRe".

Claim Rejections Under 35 U.S.C. §112

Claims 1-12 stand rejected under 35 U.S.C. 112, second paragraph, for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended to clarify that it is directed to a process for fabricating green fibrous monolith composite materials. Withdrawal of this rejection is respectfully requested.

Claims 1-12 stand rejected under 35 U.S.C. 112, first paragraph. The Office Action states that the specification, while being enabling for a process of producing a fibrous monolith which includes sintering, does not reasonably provide enablement for the process as generically claimed. As discussed above, claim 1 has been amended to clarify that it is directed to a process for fabricating green fibrous monolith composite materials. Withdrawal of this rejection is respectfully requested.

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Claims 13-19 stand rejected under 35 U.S.C. 112, first paragraph. The Office Action states that the specification, while being enabling for a process of forming a feed rod by first forming core and shell portions (e.g. page 8), does not reasonably provide enablement for the process as generically claimed. This rejection is respectfully traversed. The specification at least at page 10, lines 11-14, discloses that other methods for extruding filaments, such as processes for continuous co-extrusion, are suitable for use in combination with the processes and apparatuses and thus are contemplated as being within the scope of the invention. Additionally, at page 25 applicants incorporate by reference a co-pending patent application directed to continuous co-extrusion processes for fabricating fibrous monolith composite materials, "Compositions and Methods for Preparing Multiple-Component Composite Materials," U.S. Patent Application Serial No. 10/005,683. Withdrawal of this rejection is respectfully requested.

Claims 13-19 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that claim 13 recites "passing the first and second compositions to a mechanically-controlled movable assembly for extruding a green filament" but the specification teaches first forming a feed rod and then introducing the feed rod into the extrusion mechanism. This rejection is respectfully traversed. As discussed above, processes for continuous co-extrusion are disclosed in the specification as being within the scope of the invention and the claims should not be limited to processes that includes first forming a feed rod. Withdrawal of this rejection is respectfully requested.

The Office Action at paragraph 9 states that Applicants' arguments filed June 20, 2003 are not persuasive. As discussed above in connection with the rejections of claims 1-12, claim 1 has been amended to clarify that it is directed to a process for fabricating green fibrous monolith composite materials. Withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, prompt reconsideration and full allowance of the claims pending in the subject application are respectfully requested. As all rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

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The Commissioner is authorized to debit or credit our Deposit Account No. 19-0733 for any fees due in connection with the filing of this response.

If the Examiner should have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: January 9, 2004

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Page 10 of 10

PTO/SB/07 (05-03)

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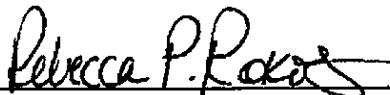
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